

**REMARKS/ARGUMENTS**

The Examiner rejects claims 1-5, 9-21, and 23-25 under 35 U.S.C. § 102(b) as being anticipated by Matheny (U.S. 4,773,088).

Applicant respectfully traverses the Examiner's rejections. Matheny fails to teach or suggest at least the following italicized features of the rejected independent claims:

1. A method for operating a voice-based telecommunications device, comprising:

(a) monitoring the voice-based telecommunications device for an *on-hook* state; and

(b) when the *on-hook* state is detected, automatically resetting at least one acoustic characteristic to a predetermined level.

9. A voice-based telecommunications device, comprising:  
a state detector that detects an *on-hook* state of the telecommunications device; and

when the *on-hook* state is detected, an automatic reset that automatically resets at least one acoustic characteristic of the voice-based telecommunications device to a predetermined level.

17. A system for controlling operation of a telecommunications device, comprising:

detecting means for detecting an *on-hook* state of the telecommunications device; and

resetting means for automatically resetting at least one acoustic characteristic of the telecommunications device to a predetermined level, when the *on-hook* state is detected by the detecting means.

In one configuration, the present invention is directed to resetting the volume or amplification level of a telephone headset or handset microphone to a determined level after each use. This is done by determining the state of the telephone. The volume is reset when the state of the phone changes to *on-hook*.

Matheny is directed to a telephone that adjusts automatically the volume or amplification level of a telephone to a default setting. The arrangement provides a number of discrete, predetermined amplification levels selectable by the operator using a push-button switch 66. The amplification level is restored automatically to a volume associated with a normal hearing sensitivity at the start of a new call and a dial shunt circuit suppresses the DTMF tones heard by a user when tone dialing is used. The user adjusts the amplification level by manipulating the switch 66, which, in response, provides control signals to the counter 150. The counter in turn provides control signals Q1 and Q2 to the switching devices 136 and 144 causing one or both of the resistors 130 and 132 to be connected in parallel with resistor 126. The highest amplification level is realized when all three resistors are connected in parallel. The default or normal level is provided when only resistor 126 is connected.

At col. 7, lines 15-31, Matheny states:

To insure that the volume is associated with normal amplification level at the beginning of a new call, the binary counter 150 is reset *when the handset is taken OFF-HOOK*. The counter 150 includes a reset input 160 coupled to the junction of a series resistor 162 and capacitor 164 combination coupled between the positive voltage and ground 90. *At the beginning of a new call, current flows through the resistor 162 and capacitor 164 combination to generate a reset signal on the reset lead 160 which forces the counter output Q1 and Q2 to a low voltage logic state thereby keeping the switching devices 136 and 144 in an OFF condition.* Consequently, the volume produced by the receiver transducer is associated with the normal amplification level because only resistor 126 is connected to the output terminal 124 when the counter output Q1 and Q2 are at a low voltage logic state.

(Emphasis supplied.)

Because the volume is not reset until the OFF-HOOK state, a shunt circuit must be provided to prevent hearing of amplified audio associated with the DTMF signals generated by the touchpad during dialing.

In contrast, the present invention returns automatically to the default parameter (e.g., volume level) when the ON-HOOK state is detected. This configuration avoids the necessity of using a shunt circuit to prevent the hearing of audio associated with the DTMF signals generated by the touchpad during dialing.

The claimed configuration is not obvious in view of Matheny because the claimed configuration is not possible using the design of Matheny. Matheny uses the current supplied to the telephone when it is taken off-hook to reset the volume. When the telephone goes on-hook, however no such current is provided to the telephone. The current to the telephone stops when the phone is hung up. (Col. 3, lines 54-59.)

The dependent claims provide additional reasons for allowance.

By way of example, dependent claims 3, 11, 15, 19, and 25 are directed to determining the state of the telephone by comparing an electrical parameter, such as current, in the headset/handset against a determined or selected threshold.

Dependent claims 4, 12, and 20 are directed to the use of a flag or state indicator value changes as the state changes.

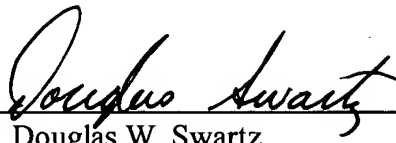
Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone

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conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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